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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SHIGE TAKIGUCHI, et. al,
Individually and On Behalf of All
Others Similarity Situated,

Plaintiffs,

v.

MRI INTERNATIONAL, INC.,
EDWIN J. FUJINAGA, JUNZO
SUZUKI, PAUL MUSASHI
SUZUKI, LVT, INC., dba STERLING
ESCROW, and DOES 1-500,

Defendants.

Case No.: 2:13-cv-01183-HDM-NJK

**STIPULATION AND
ORDER RE PAYMENT OF
SUZUKI ENTERPRISES, INC.
PROFIT SHARING PLAN
FUNDS PURSUANT TO FINAL
APPROVAL OF CLASS
ACTION SETTLEMENT**

1 WHEREAS, Defendant Suzuki Enterprises, Inc. Profit Sharing Plan (the
2 “Plan”) and Plaintiffs are collectively referred to herein as the “Parties”;

3 WHEREAS, on December 11, 2017 the Plan entered into a Settlement
4 Agreement with Plaintiffs by which it agreed to pay \$5,000,000, plus 62% of any
5 amount in excess of the \$5,000,000 as consideration for resolution this action
6 (“Settlement Proceeds”);

7 WHEREAS, pursuant to the Settlement Agreement, 38% of any amount
8 exceeding \$5,000,000 shall be paid to an account designated by Junzo Suzuki;

9 WHEREAS, the Settlement Agreement provides for specific instructions on
10 the method of payment of the Settlement Proceeds and for termination of the Plan
11 upon payment of the Settlement Proceeds;

12 WHEREAS, on May 22, 2018 the Court granted final approval of the class
13 action settlement (Dkt. 840);

14 WHEREAS, the Plan’s current account balance, held by LPL Financial LLC
15 (“LPL”) for the benefit of the Plan, is \$5,058,371.82;

16 WHEREAS, the Plan’s account balance may increase or decrease at the time
17 LPL actually transfers the funds as a result of market fluctuation;

18 WHEREAS, the Court has already approved the payment of up to \$2,000 in
19 attorneys’ fees for legal expenses incurred in June 2018 (Dkt. 847);

20 WHEREAS the attorneys’ fees for legal expenses incurred by the Plan in
21 June 2018 are payable as follows:

- 22 • \$595.00 payable to Foundation Law Group LLP; and
- 23 • \$375.00 payable to Brucker & Morra, APC;

24 WHEREAS the invoices for the Plan’s legal fees with specific descriptions
25 of the work accomplished are attached hereto as Exhibit “A”;

26 NOW, therefore, the Parties stipulate as follows:
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- 1 1. \$595.00 of the funds held by LPL Financial for the benefit of the Plan
2 shall be unfrozen and released from the preliminary injunction [183] and
3 paid to Foundation Law Group LLP;
- 4 2. \$375.00 of the funds held by LPL Financial for the benefit of the Plan
5 shall be unfrozen and released from the preliminary injunction [183] and
6 paid to Brucker & Morra, APC;
- 7 3. After payment of legal fees to Foundation Law Group LLP and Brucker
8 & Morra, APC, within 5 days of this order, LPL is hereby ordered to
9 disburse the entire balance of LPL Account No. XXXX-6536, held by
10 LPL for the benefit of the Plan to the Marshall Suzuki Law Group Client
11 Trust Account.
- 12 4. Within 5 days from confirmation of the funds, Marshall Suzuki Law
13 Group shall pay Heffler Claims Group the Settlement Proceeds of Five
14 Million Dollars (\$5,000,000) plus 62% of any amount exceeding
15 \$5,000,000.
- 16 5. Marshall Suzuki Law Group shall pay the remainder of the funds, i.e.
17 38% of any amount exceeding \$5,000,000, at the direction of Junzo
18 Suzuki.
- 19 6. The Plan shall be terminated as of June 30, 2018.

1 DATED: June 25, 2018

DATED: June 25, 2018

2 **MANNING & KASS ELLROD**
3 **RAMIREZ, TRESTER LLP**

ENENSTEIN PHAM & GLASS

4 By: /s/ James E. Gibbons
5 *Attorneys for Plaintiffs*

By: /s/ Robert A. Rabbat
Attorneys for Suzuki Enterprises, Inc.,
Profit Sharing Plan

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9 DATED: June 25, 2018

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11 **LAW OFFICES OF ROBERT W.**
12 **COHEN, A.P.C.**

FOUNDATION LAW GROUP LLP

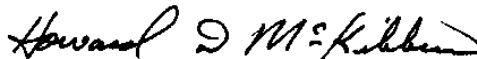
13 By: /s/ Robert W. Cohen
14 *Attorneys for Plaintiffs*

By: /s/ Gregg D. Zucker
Attorneys for Suzuki Enterprises,
Inc., Profit Sharing Plan

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17 **ORDER**

18 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

19 DATED this 29th day of June, 2018.

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21 _____
22 United State District Court Judge
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